



STATE OF LOUISIANA
DEPARTMENT OF STATE CIVIL SERVICE
LOUISIANA BOARD OF ETHICS
P. O. BOX 4368
BATON ROUGE, LA 70821
(225) 219-5600
FAX: (225) 381-7271
1-800-842-6630
www.ethics.la.gov

April 15, 2019

Hon. Cornell Dukes
Mayor, City of New Roads
Post Office Box 280
211 W. Main Street
New Roads, LA 70760

Re: Ethics Board Docket No. 2019-209

Dear Mr. Dukes:

The Louisiana Board of Ethics, at its April 12, 2019 meeting, considered your request for an advisory opinion as to whether your company, Perpetual Properties, LLC, would be prohibited by the Code of Governmental Ethics ("Code") from renting property to tenants who receive rent subsidies through the Section 8 program administered by the New Roads Housing Authority.

FACTS PROVIDED

You stated that you were recently elected Mayor of the City of New Roads and assumed office on January 1, 2019. You further provided that you are the majority owner of Perpetual Properties, LLC, which owns several houses which it rents to tenants, some of whom receive vouchers for partial rent subsidies through the Section 8 Program administered by the New Roads Housing Authority. You stated that the rent is paid partially by the tenant and partially by the New Roads Housing Authority, but that the only contract is between the tenant and Perpetual Properties, LLC. You stated, as mayor, you are tasked with the responsibility to make appointments to the board of commissioners for the New Roads Housing Authority, but otherwise have no control over the agency.

LAW

La. R.S. 42:1113A(1)(a) prohibits a public servant, or a member of his immediate family, or legal entity in which he has a controlling interest from entering into transactions that are under the supervision or jurisdiction of the public servant's agency. Also, **La. R.S. 40:384(16)** provides that a "Local Housing Authority" is a political subdivision of this state, independent from the municipality or parish which established or establishes it or which may appoint some or all of its commissioners.

Mr. Cornell Dukes
April 15, 2019
Page -2-

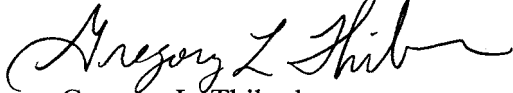
CONCLUSION

The Board concluded and instructed me to inform you, that Perpetual Properties, LLC would not be prohibited from renting property to tenants in the Section 8 Choice Voucher program administered by the New Roads Housing Authority. Since the New Roads Housing Authority is a separate political subdivision from the City of New Roads, and Perpetual Properties, LLC's contracts with the tenant, there would be no contract or transaction under the supervision or jurisdiction of your agency, the City of New Roads. Therefore, Perpetual Properties, LLC would not be prohibited from renting property to tenants who may participate in the Section 8 Program administered by the New Roads Housing Authority.

This advisory opinion is based solely on the facts as set forth herein. Changes to the facts presented may result in a different application of the provisions of the Code of Ethics. The Board issues no opinion as to past conduct or laws other than Code of Governmental Ethics. If you have any questions, please contact me at (225) 219-5600 or (800) 842-6630.

Sincerely,

LOUISIANA BOARD OF ETHICS

A handwritten signature in cursive script, reading "Gregory L. Thibodeaux".

Gregory L. Thibodeaux
For the Board